

Article 2: Overlay Zones

Division 13: Clairemont Mesa Height Limit Overlay Zone

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§132.1301 Purpose of the Clairemont Mesa Height Limit Overlay Zone

The purpose of the Clairemont Mesa Height Limit Overlay Zone is to provide supplemental height regulations for western Clairemont Mesa. The intent of these regulations is to ensure that the existing low profile *development* in Clairemont Mesa will be maintained and that public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean are protected.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§132.1302 Where the Clairemont Mesa Height Limit Overlay Zone Applies

- (a) This overlay zone applies to that portion of Clairemont Mesa that is located within the boundaries shown on Map No. C-791, filed in the office of the City Clerk as Document No. 00-17353. This area is shown generally on Diagram 132-13A.
- (b) Table 132-13A shows the sections that contain the supplemental regulations and the type of permit required by this division, if any, for specific types of *development* proposals in this overlay zone.

**Table 132-13A
Clairemont Mesa Height Limit Overlay Zone Applicability**

Type of <i>Development</i> Proposal	Supplemental Development Regulations	Required Permit Type/Decision Process
(1) Any <i>development</i> within this overlay zone that complies with the height limit in Section 132.1305	See Section 132.1305	No permit required by this division
(2) Any <i>development</i> for which an exception to the height limit in Section 132.1305 is requested	See Sections 132.1305-132.1306	Site Development Permit/ Process Five

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§132.1305 Height Limit

The maximum *structure height* within the Clairemont Mesa Height Limit Overlay Zone shall be as follows:

- (a) For new *structures* or alteration of existing *structures*, the maximum *structure height* is 30 feet, except as provided in Section 132.1305 (b) and (c).

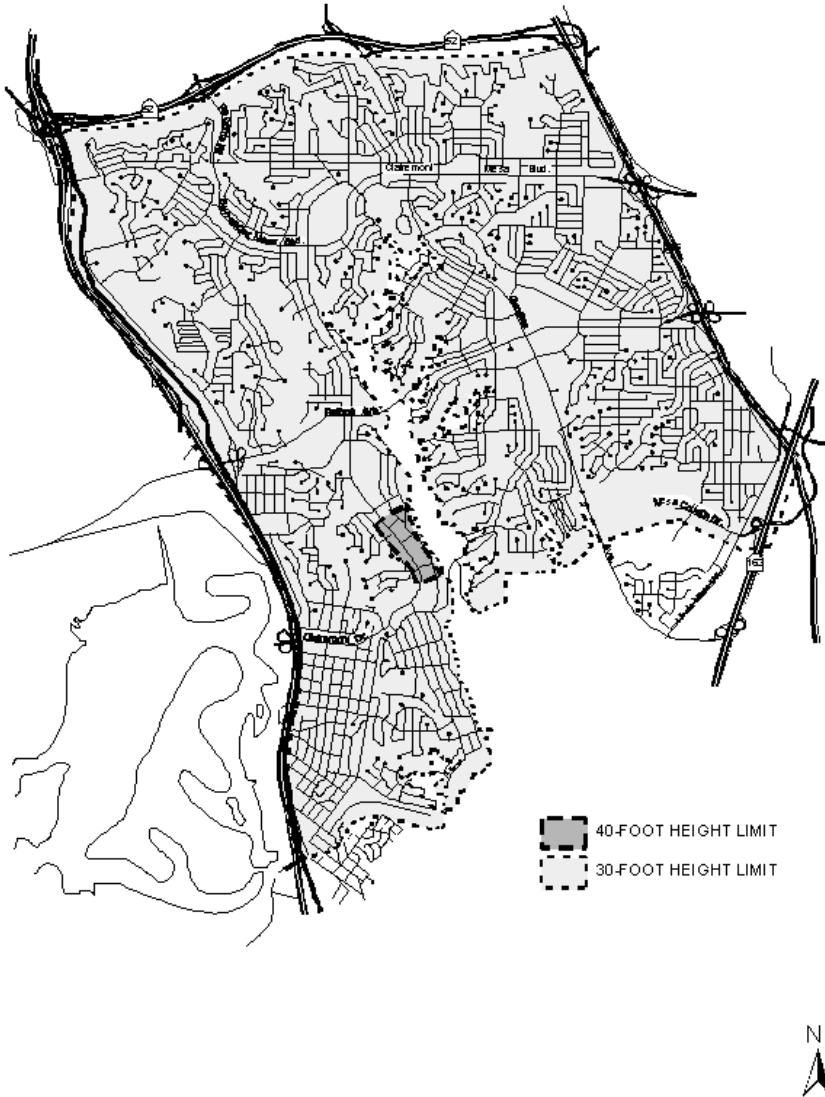


DIAGRAM 132-13A
Clairemont Mesa Height Limit Overlay Zone
This is a reproduction of Map No. C-791
for illustration purposes only.

- (b) For new *structures* located on that property known as Villamar and the Buena Vista Gardens and described as Blocks 2 through 5 and a portion of Block 6, Clairemont Garden, Map 2947, as well as Villamar Unit No. 1, Map 11004, the maximum *structure height* is 40 feet and the *structure* shall not exceed 3 *stories*.
- (c) Existing *structures* that exceed 30 feet in height, for which a Building Permit was issued on or before November 1, 1989, may be repaired, altered, or modified if the repairs, alterations, or modifications do not increase the height of the *structure*.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§132.1306 Exceptions to the Clairemont Mesa Height Limit

An *applicant* may request an exception from the Clairemont Mesa Height Limit by applying for a Site Development Permit. The Site Development Permit shall be considered by the City Council in accordance with Process Five. Exceptions may be made only when the City Council makes the *findings* for Site Development Permit approval in Section 126.0504.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)